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\*E-filed 6/16/06\*

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ALEJANDRO SIMBRAS-DELGADO,  
  
Defendant.

No. 06-70303 RS

STIPULATION AND ~~PROPOSED~~  
ORDER EXCLUDING TIME

SAN JOSE VENUE

On June 8, 2006, the parties in this case appeared before the Court for an arraignment. At that appearance, Assistant Federal Public Defender Angela Hansen explained that she needed additional time to review the case and discuss an early disposition with the government. Therefore, the parties requested that the arraignment be continued to June 29, 2006 at 9:30 a.m. In addition, the defendant, through his counsel, agreed to an exclusion of time under the Speedy Trial Act from June 8, 2006 to June 29, 2006. The parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need for effective preparation of counsel.

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1 SO STIPULATED:

KEVIN V. RYAN  
United States Attorney

2  
3 DATED: \_\_\_\_\_

/s/  
\_\_\_\_\_  
SUSAN KNIGHT  
Assistant United States Attorney

4  
5 DATED: \_\_\_\_\_

/s/  
\_\_\_\_\_  
ANGELA M. HANSEN  
Assistant Federal Public Defender

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7  
8 Accordingly, the Court HEREBY ORDERS that the preliminary hearing or arraignment is  
9 continued to June 29, 2006 at 9:30 a.m. Good cause is shown and the continuance is proper  
10 under Rule 5 of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3060.

11 For good cause shown, the Court FURTHER ORDERS that time be excluded under the  
12 Speedy Trial Act from June 8, 2006 until June 29, 2006. The Court finds, based on the  
13 aforementioned reasons, that the ends of justice served by granting the requested continuance  
14 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant  
15 the requested continuance would deny defense counsel reasonable time necessary for effective  
16 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
17 of justice. The Court therefore concludes that this exclusion of time should be made under 18  
18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

20  
21 DATED: 6/16/06 \_\_\_\_\_

/s/ Howard R. Lloyd  
\_\_\_\_\_  
HOWARD R. LLOYD  
United States Magistrate Judge